

Message Text

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ACTION NEA-10

INFO OCT-01 EUR-12 ISO-00 CIAE-00 DODE-00 PM-05 H-01

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SS-15 USIA-06 DHA-05 /074 W

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FM AMEMBASSY TUNIS

TO SECSTATE WASHDC 8021

INFO AMEMBASSY ALGIERS

AMEMBASSY PARIS

AMEMBASSY TRIPOLI

C O N F I D E N T I A L TUNIS 6083

E.O. 11652: GDS

TAGS: PINT, PINS, TS

SUBJ: BEN SALAHIST TRIAL VERDICT:REACTION MUTED

REF: TUNIS 5942

1. PUBLIC REACTION TO STATE SECURITY COURT'S AUGUST 19 VERDICT IN BEN SALAHIST TRIAL HAS BEEN EXCEPTIONALLY MUTED. RAMADHAN/AUGUST DOLDRUMS ARE UNDOUBTEDLY MAIN CAUSE FOR THIS LOW KEY REACTION TO IMPORTANT POLITICAL TRIAL.

2. PSD DAILY L'ACTION IS ONLY NEWSPAPER THAT HAS COMMENTED ON TRIAL AFTER AUGUST 20 ARTICLES COVERING VERDICT. ON AUGUST 23, L'ACTION PUBLISHED ARTICLE TITLED "SOME LIGHT ON STATE SECURITY COURT VERDICT". L'ACTION REHASHED VARIOUS ASPECTS OF TRIAL AND ELEMENTS IN PRESIDING JUDGE'S DECISION TO ACQUIT DEFENDANTS ON CHARGE OF ATTEMPTING TO OVERTHROW STATE WHILE CONVICTING THEM ON LESSER OFFENSES. ARTICLE MADE POINT AS WELL THAT "NUMEROUS OBSERVERS" HAD BEEN IMPRESSED WITH RESPECT SHOWN FOR HUMAN RIGHTS DURING CONFIDENTIAL

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TRIAL WHICH, L'ACTION CLAIMED, "PROVED ONCE AGAIN THE INDEPENDENCE OF THE TUNISIAN JUDICIARY WHOSE SOLE CONCERN IS TO PLACE THE LAW ABOVE ALL OTHER CONSIDERATIONS." L'ACTION ALSO POINTED OUT THAT THE "SOMETIMES MAGISTERIAL" DEFENSE HAD SOUGHT TO REFUTE ACCUSATIONS AGAINST THEIR CLIENTS AND THAT THEIR PLEAS TO THE COURT WERE ON A "DIDACTIC LEVEL OF GREAT

CLARITY."

3. WE HAVE BEEN TOLD BY RELIABLE JOURNALISTIC SOURCE THAT DEFENSE LAWYERS MADE APPEAL TO COURT DURING AUGUST 18 SESSION ON QUESTION OF PHYSICAL ABUSE OF THEIR CLIENTS. ACCORDING TO OUR SOURCE, DEFENSE LAWYER, SPEAKING ON BEHALF OF HIS COLLEAGUES, ASSERTED THAT PHYSICAL MEASURES HAD BEEN USED IN COURSE OF POLICE INTERROGATION OF DEFENDANTS AND PRESENTED TO THE PRESIDING JUDGE THE REPORT OF THE TUNISIAN LEAGUE FOR THE RIGHTS OF MAN ON THIS QUESTION. THE COURT RECEIVED THE REPORT AND TOLD THE LAWYERS THAT IT WOULD RESPOND TO THEM LATER.

4. WE HAVE NOT BEEN ABLE TO REACH OUR REGULAR SOURCES AMONG DEFENSE LAWYERS TO CONFIRM INFORMATION GIVEN TO US BY JOURNALIST OR TO SEEK THEIR REACTION TO TRIAL VERDICT. MOST OF OUR LAWYER AND JOURNALIST SOURCES ARE NOW OUT OF TOWN ON VACATION. WE WILL SEEK TO CONTACT THEM WHEN THEY RETURN, AND WILL REPORT RESULTS OF OUR CONVERSATION TO DEPARTMENT AS SOON AS POSSIBLE.
KING

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